

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
TECK HU

Serial No.: 10/673,932

Filed: September 29, 2003

For: METHOD OF DYNAMIC RATE
SPLITTING

Conf. No. 1634

Examiner: K. Nguyen

Group Art Unit: 2687

Att'y Docket: 2100.019700

Customer No. 46290

**RESPONSE TO RESTRICTION
REQUIREMENT DATED AUGUST 29, 2008**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated August 29, 2008, for which the one-month date for response is September 29, 2008.

Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of one-month to and including October 29, 2008. This response is being electronically filed on October 23, 2008 before the due date, therefore, it is timely filed.

If an extension of time is required to enable this paper to be timely filed and there is no separate Petition for Extension of Time filed herewith, this paper is to be construed as also constituting a Petition for Extension of Time Under 37 CFR § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

In response to the restriction requirement which the Examiner imposed, Applicants elect, without traverse, to prosecute the Group I Claims 7-13, drawn to a wireless communication with a number of subscribers to a subscription-based service, prioritizing the assigning of the at least one multicast rate to support the multicasting information to at least one of a maximum number of multicast service subscribers, a maximum number of multicast service subscribers having the premium service type, and a maximum number of multicast service subscribers having the basic service type (455/414.1. 709/219).

It is believed that \$130.00 fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson's P.C. Deposit Account 50-0786/2100.019700.

The Examiner is invited to contact the undersigned agent at (713) 934-4052 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON
CUSTOMER NO. 23720

Date: October 23, 2008

/Mark W. Sincell/

Mark W. Sincell
Reg. No. 52,226
10333 Richmond, Suite 1100
Houston, Texas 77042
(713) 934-4052
(713) 934-7011 (facsimile)

AGENT FOR APPLICANTS